

REMARKS

The Abstract of the Disclosure is included on a separate sheet herewith wherein the abstract is presented on the separate sheet, apart from any other text.

The specification has been amended so as to insert a reference to the prior applications as the first sentence of the specification.

The objection to Claims 5-7 has been obviated by amending the claims as kindly suggested by the Examiner.

The rejection of Claim 4 under 35 U.S.C. 112 is respectfully but emphatically traversed. The use of the word "about" in claims has long been recognized as proper. The use of that word has been recognized as a reasonable modifier to prevent potential infringers from attempting to avoid infringement by avoiding the ranges in the claim by using a value that is insignificant but outside the absolute range given in the claim. The word "about" has been recognized as including those insignificant changes as still infringing the claims. It is pointed out that a search of patents issued since 1975 shows the word "about" being used in claims in 836,331 patents. Has the Patent Office been derelict in allowing the use of the word "about" in those patents? In a most recent Patent No. 7,460,913, the word "about" is used in the very same, exact way that the word is used in Claim 4 of this

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application. Thus, unless the Patent Office has made a very recent change in its rules, and applicant is certainly not aware of any such change in the rules, the Examiner should withdraw the arcane rejection concerning the word "about."

The rejection of Claims 1-4 as being anticipated from the cited Honstein reference under 35 USC 102 is respectively, and emphatically, traversed. It is pointed out that Claims 1-4 all require that the planar base has side walls extending upwardly from the perimeter of the base. That in itself does not admittedly distinguish over the cited reference. However, and most importantly, Claims 1-4 expressly require a thin, membrane-like connector member that is formed integrally with the PERIMETER of the base and the lower side edge of the side wall. The perimeter of the base of the device of the cited Honstein reference is attached permanently and integrally to the side walls. There is absolutely no thin, membrane-like connector member that is formed integrally with the PERIMETER of the base and connects that PERIMETER to the lower side edge of the side wall. Now, a reference cannot anticipate a claim when the reference completely lacks an element of the claim, and in the present case, the cited Honstein reference completely lacks any resemblance of a thin, membrane-like connector member formed integrally with the PERIMETER of the base and that connects the

PERIMETER of the base to the lower side edge of the side wall.

Further, Claims 1-4 all require that the thin, membrane-like connector member is frangible and easily broken so that the side wall can be torn away from the base and discarded after dental casting material has hardened in the cavity formed by the side wall. In the device of the cited Honstein reference, the lower edge of the side wall is formed integrally and permanently with the PERIMETER of the base, and the side wall clearly and definitely CAN NOT BE TORN AWAY FROM THE BASE. The cited Honstein reference is thus deficient in an additional, second element of which it must have if it is to be an anticipation of the claims in question.

It is respectfully submitted that the Examiner has either misinterpreted or completely ignored what elements the cited reference in fact has. The Examiner is now referred specifically to paragraphs [0085] and [0086] which are copied immediately below for the Examiner's convenience:

[0085] Referring now to FIGS. 1 and 3, it may be seen that base wall 42 of trough 39 in molding tray 31 has a flat upper surface 59, and includes an outer rectangular ring-shaped portion 60 which is joined to the inner wall surfaces of the front, rear, inner and outer end walls of the tray. Base wall 42 also includes a concentrically located, longitudinally elongated rectangularly-shaped center panel 61. Base wall 42 has a thickness of less than the height of tray 31, e.g., about 1/16 inch for a tray height of about 7/16 inch, and upper surface 59 of base wall 42 is located about 1/16 inch below upper peripheral edge wall 33 of the tray. Thus arranged, base wall 42 forms within a lower portion of tray

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31 a relatively deep, e.g., about 3/8 inch, lower upwardly concave opening or "matrix" trough 63 which protrudes upwardly from lower peripheral face 64 of the tray.

[0086] Referring still to FIGS. 1 and 3, it may be seen that center panel 61 of base wall 42 is connected to outer rectangular ring-shaped portion 60 of the base wall by a plurality of readily breakable, or frangible members 65. Thus, as shown in FIG. 3, outer vertical wall surface 66 of base wall center panel 61 is joined to inner vertical wall surface 67 of ring-shaped portion 60 of the base wall by a plurality of thin, breakable pins 65, e.g., a pair of front and rear pins and a pair of left and right pins. In a preferred embodiment, a tray 31 is fabricated as a unitary molded plastic part, with outer surface 66 of center panel 61 angled downwardly and inwardly away from adjacent inner wall surface 67 of ring-shaped outer portion 60 of base wall 42. With this construction, pins 65 may be readily molded to have a thickness substantially less than that of center panel 61, thus enabling the pins to be readily broken and thereby permitting the center panel to be broken away and removed from tray 31. With center panel 61 thus removed from tray 31, base wall 42 of the tray has through its thickness dimension a concentrically located, longitudinally elongated rectangular-shaped aperture 69, as shown in FIG. 23.

Now, it is pointed out that paragraph [0085] quoted above specifically says that the base wall of the device of the Honstein reference has an outer rectangular ring-shaped portion 60 which is joined to the inner wall surfaces of the front, rear, inner and outer end walls of tray. This ring-shaped portion 60 is joined permanently to the walls of the tray, and the walls of the tray CANNOT be torn away from this ring-shaped portion 60 of the base wall.

In paragraph [0086] quoted above, it is expressly said that the center panel 61 of the base wall is connected to the ring-

shaped portion 60 of the base wall by a plurality of readily breakable, or frangible members 65. The center panel 61 of the base wall is joined to the ring-shaped portion 60 of the base wall by the breakable members 65. The center panel 61 is broken away and removed from the ring-shaped portion 60. There is no way possible, and certainly none is suggested, for tearing away the front, rear, inner and outer end walls of the tray. The side walls of the tray of the Honstein reference CANNOT be torn away from the base wall of the tray, and there is absolutely no suggestion whatsoever in the Honstein reference of tearing the side walls of the tray away from the ring-shaped portion 60 of the base wall.

In fact, if the side walls of the tray of the Honstein reference were somehow torn away, it would render the tray totally useless. Those side walls of the tray of the Honstein reference contain necessary and essential registration ribs 49 and grooves 50 which are needed for the poured model to be returned to the tray after being removed therefrom, such that the poured model and individual segments thereof which are cut from it when it is removed are returned to exact pre-existing locations within the tray. If those side walls were torn away and removed, there would be absolutely no way of returning the poured model and individual segments cut therefrom to the tray in

not even obvious, let alone an anticipation, to modify a device of a reference so as to render the device TOTALLY USELESS.

The rejection of Claim 5 as being obvious from the Honstein reference under 35 U.S.C. 103 is seen to be ludicrous and is therefore respectfully traversed. The Honstein reference does not even remotely suggest two of the essential elements of Claim 5 as is pointed out previously with the rejection of Claims 1-4. As further pointed out in the discussion of the rejection of Claims 1-4, it would most clearly and conclusively not be obvious to modify the tray of the Honstein reference such that the side walls of the tray could be torn away from the tray. Doing such would render the tray of the Honstein reference totally useless, and it certainly is not obvious to modify a device of a reference so as to render the device TOTALLY USELESS.

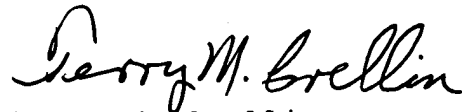
The rejection of Claims 6-7 as being obvious from Honstein in view of Huffman under 35 U.S.C. 103 is respectfully traversed. The Huffman reference does not remedy the glaring deficiencies of the Honstein reference as discussed above. There is no suggestion whatsoever in the Huffman reference of the two essential elements of Claim 1 as previously discussed with respect to the rejection of Claim 1 and Claim 5 from the Honstein reference. There is further absolutely no suggestion in the Huffman reference of means for tearing away of the side wall of a

dental tray.

The rejection of Claim 8 as being obvious from Honstein in view of Huffman and McPherson under 35 U.S.C. 103 is respectfully traversed. The McPherson reference does not remedy the glaring deficiencies of the Honstein reference as discussed above. There is no suggestion whatsoever in the McPherson reference of the two essential elements of Claim 1 as previously discussed with respect to the rejection of Claims 1-4 and Claim 5. There is absolutely no suggestion in the McPherson reference of means for tearing away of the side wall of a dental tray.

All the claims of the application are now in proper formal condition and they clearly distinguish over the cited prior art. Accordingly, the claims are believed to be in condition for immediate acceptance, and a notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in cursive script that reads "Terry M. Crellin".

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